

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

DARNELL HARRIS,

Petitioner,

v.

CASE NO. 2:20-CV-3158  
CRIM. NO. 2:13-CR-68  
JUDGE MICHAEL H. WATSON  
Magistrate Judge Kimberly A. Jolson

UNITED STATES OF AMERICA,

Respondent.

ORDER

On June 23, 2020, the Magistrate Judge issued a Report and Recommendation pursuant to Rule 4(b) of the Rules Governing Section 2255 Proceedings recommending that this action be transferred to the United States Court of Appeals for the Sixth Circuit as successive. ECF No. 123. Although the parties were advised of the right to file objections to the Magistrate Judge's Report and Recommendation, and of the consequences of failing to do so, no objections have been filed.

The Report and Recommendation, ECF 123, is **ADOPTED** and **AFFIRMED**. The Motion to Vacate under 28 U.S.C. § 2255, ECF 122, is hereby **TRANSFERRED** to the Sixth Circuit as successive.

Petitioner has waived his right to appeal by failing to file objections. See *Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). Therefore, the Court **DECLINES** to issue a certificate of appealability.

**IT IS SO ORDERED.**

/s/ *Michael H. Watson*  
**MICHAEL H. WATSON, JUDGE**  
**UNITED STATES DISTRICT COURT**